

Notice of Allowability

Application No.

10/716,995

Applicant(s)

HECKEROTH, STEVE

Examiner

Thanh-Truc Trinh

Art Unit

1795

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 30 October 2007.
2. ☒ The allowed claim(s) is/are 1-10, 12, 16-22, 24 and 26-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/30/2007 has been entered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Frederick Krieger on Monday 17 December 2007.

The application has been amended as follows:

In the claims:

a. In claim 1 at lines 2 and 4, please insert the word --photovoltaic-- before the word "material".

b. In claim 1 at line 3, please insert the letter --s-- after the letter "b" of the word "web".

c. In claim 1 at lines 5, 8 and 18, please insert the word –elongated— after the word “second” and before the word “web(s)”.

d. In claim 1 at lines 7 and 16, please insert the word –elongated—after the word “first” and before the word “web”.

e. In claim 1 at line 21, please delete the word “the” before the words “engagement point”; and insert the words --said longitudinal-- before the word “engagement”.

f. In claim 3 at line 2, please delete “flexible material comprises a photovoltaic material and said”; insert the word –that – after the word “surface” at line 3, and the words --photovoltaic— after the word “flexible” at line 3.

g. In claim 4 at line 3, please insert the word --elongated-- before the word “webs”.

h. In claim 5 at line 3, please insert the word --elongated-- before the word “webs”.

i. In claim 5 at line 4, please insert the word –flexible—before the word “photovoltaic”.

j. In claim 6 at line 3, please insert the word –elongated—before the word “webs”, and insert the word --flexible—before the word “photovoltaic”.

k. In claim 9 at line 3, please insert the word –elongated—before the word “webs”; at line 4, please insert the word –flexible— before the word “photovoltaic”.

l. In claim 10 at line 4, please insert the word –photovoltaic—before the word “material”; and at lines 5-6, insert the word --elongated-- before the word “web”.

m. In claim 12 at line 4, please insert the word --curved—before the word “surface”, and insert the word --elongated—before the word “web”.

n. In claim 16 at line 3, please insert the word --photovoltaic—after the word “flexible”.

o. In claim 17 at lines 5, 7, 16, 18 and 20, please insert the word --flexible—before the word “web(s)”; and at line 21, please insert the word --longitudinal—before the words “engagement point”.

p. In claim 18 at line 2, please insert the word --flexible—before the word “webs”, at line 6, please insert the words --each of—before the word “said”; and at line 7, please insert the letter --s-- after the letter “b” of the word “web”.

q. In claim 19 at lines 5 and 6, please insert the word --flexible—before the word “web”.

r. In claim 22 at line 2, please insert the word --flexible—before the word “web”; and at line 5, please insert the word --said—before the words “polymeric material”.

s. In claim 24 at line 4, please insert the word --curved—before the word “surface”; and insert the word --flexible—before the word “web”.

t. In claim 26 at lines 2 and 4, please insert the word --flexible—before the word “web”.

Allowable Subject Matter

Claims 1-10, 12, 16-22, 24, 26-31 are allowed.

The following is an examiner's statement of reasons for allowance:

None of the prior art of record shows ^{the}~~that~~ claimed method or system for securing flexible photovoltaic material onto a surface having (a) a first edge of the first web abuts a first edge of the second web; (b) a clamping strip is adapted to secure a longitudinal engagement point; and a batten cap secures over the clamping strip, wherein the batten cap has (i) a first curved surface contacting a complementary curved surface of the first web, (ii) a second curved surface contacting a complementary curved surface of the second web. The closest prior art is Knudson et al. The batten cap 38 of Knudson et al. has curved surfaces at the bending corners, but these curved surfaces are not in contact with the complementary curved surfaces (or the bending sites) of the metal sheets 11 and 12. As a matter of fact, the batten cap (38) of Knudson et al. is configured to make contact with the fastening device (37) to resist from being pulled away. In considering the method and system of Knudson et al., it would not be obvious to one of ordinary skill in the art to form a contact between the curved surfaces of the batten cap and the curved surfaces of the panels (or metal sheets 11 and 12).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Truc Trinh whose telephone number is 571-272-6594. The examiner can normally be reached on 8:30 am - 5:00 pm.

Application/Control Number:
10/716,995
Art Unit: 1795

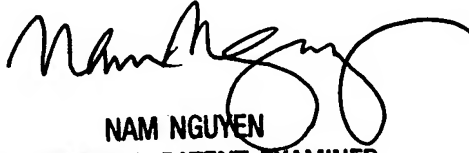
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TT

12/17/2007


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SUPERVISORY PATENT EXAMINER
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